

This order is SIGNED.

Dated: July 30, 2025


KEVIN R. ANDERSON
U.S. Bankruptcy Judge



rdr

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re: ROCKWELL DEBT FREE PROPERTIES, INC., Debtor.	Bankruptcy Number: 20-25326 Chapter 7 Hon. Kevin R. Anderson
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**ORDER SUSTAINING UNBUILT TIC OWNERS' OBJECTION TO THE CHAPTER 7
TRUSTEE'S FINAL REPORT, AMENDING FINAL REPORT, AND CLARIFYING
APPLICABLE CLAIMS BAR DATE**

Steven Bailey, the Chapter 7 Trustee of the above-captioned bankruptcy estate, filed his *Trustee's Final Report* (Dkt. No. 185, the "Final Report") on May 22, 2025. A collection of entities¹ collectively referred to as the Unbuilt TIC Owners² objected to the Final Report on the grounds that it improperly classified their claims as tardily filed and therefore proposed no distribution on those claims from estate assets. The Unbuilt TIC Owners contended that they had timely filed their claims and the Final Report should therefore be amended to include their claims among, and pay them *pro rata* with, other timely-filed general unsecured claims. Certain entities

¹ As defined in 11 U.S.C. § 101(15).

² See Dkt. No. 3 for a list of the Unbuilt TIC Owners.

whose claims were already included among the timely-filed general unsecured claims, collectively referred to as the Westminster Claimants, objected to the relief sought by the Unbuilt TIC Owners.

The Court conducted a hearing on the Final Report and the objections filed by the Unbuilt TIC Owners and the Westminster Claimants on June 23, 2025. Deborah Chandler appeared on behalf of the Chapter 7 Trustee, who was also present, Reid Lambert appeared on behalf of the Unbuilt TIC Owners, and Steven Call appeared on behalf of the Westminster Claimants. The Court continued the hearing to June 30 to permit the parties to submit supplemental briefing, which the Unbuilt TIC Owners and the Westminster Claimants did.

The Court issued its ruling on these matters on June 30 from the bench, making its findings of fact and conclusions of law on the record. Based on those findings and conclusions, which are incorporated herein by reference, the Court hereby **ORDERS:**

1. The Unbuilt TIC Owners' objection to the Final Report is SUSTAINED.
2. The Westminster Claimants' objection to the Unbuilt TIC Owners' objection is OVERRULED.
3. The claims bar date in this case was and is January 22, 2021.
4. The Chapter 7 Trustee shall amend his Final Report to treat as timely filed all claims that were filed by that date.
5. The Chapter 7 Trustee shall not notice the amended final report through the BNC. Parties will have seven days from the date the amended final report is filed to lodge objections thereto. If no objections are filed within that time period, the Court will enter the order the Chapter 7 Trustee has submitted approving payment of administrative

claims (Dkt. No. 192), which the Court will modify to expressly approve and accept the amended final report.

END OF DOCUMENT

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DESIGNATION OF PARTIES TO RECEIVE NOTICE

Service of the foregoing **ORDER SUSTAINING UNBUILT TIC OWNERS' OBJECTION TO THE CHAPTER 7 TRUSTEE'S FINAL REPORT, AMENDING FINAL REPORT, AND CLARIFYING APPLICABLE CLAIMS BAR DATE** shall be served to the parties and in the manner designated below.

By Electronic Service: I certify that the parties of record in this case as identified below, are registered CM/ECF users:

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By U.S. Mail: In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed. R. Civ. P. 5(b).

- All parties on the Court's official case matrix not receiving CM/ECF notice.